

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARI MARGARET DIMINO,
Plaintiff(s),

v.

LONNE RICHARD KLEIMAN,
Defendant(s).

Case No. 2:24-cv-00124-JAD-NJK

Order

[Docket No. 17]

Pending before the Court is a stipulation to extend the discovery cutoff by 90 days. Docket No. 17.

A request to extend unexpired deadlines in the scheduling order must be premised on a showing of good cause. Fed. R. Civ. P. 16(b)(4); Local Rule 26-3. The good cause analysis turns on whether the subject deadlines cannot reasonably be met despite the exercise of diligence. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).¹

The instant stipulation indicates that the parties have encountered difficulty in scheduling Plaintiff's medical examination before the initial expert disclosure deadline. Docket No. 17 at 2.² Such reasoning does not justify a lengthy 90-day extension, particularly given that the initial expert deadline remains 30 days away at this juncture and the parties have not identified the date on which they have actually scheduled the medical examination.

¹ That a request is jointly submitted "neither mandates allowance of the extension sought nor exempts parties from making the necessary showings to justify that relief. Failure to provide such showings may result in denial of a stipulated request to extend the case management deadlines." *Williams v. James River Grp. Inc.*, 627 F. Supp. 3d 1172, 1178 (D. Nev. 2022).

² Although the stipulation seeks relief with respect to the deadline to amend or add parties, no explanation is provided as to why relief from that deadline is warranted.

1 Accordingly, the stipulation to extend is **DENIED** without prejudice. The parties must
2 identify and schedule the first available date for the medical examination. Any renewed request
3 for relief on this basis must identify that date and must provide articulated reasoning regarding the
4 length of extension sought.

5 IT IS SO ORDERED.

6 Dated: April 30, 2024

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10 Nancy J. Koppe
11 United States Magistrate Judge
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